



**Date:** February 12, 2018

**To:** Ad Hoc Advisory Districting Committee

**From:** City Attorney and Assistant City Manager

**Subject:** Public Hearing on District Boundaries

### **EXECUTIVE SUMMARY**

The following report provides information regarding the first public hearing on the formation of district boundaries. The purpose of the public hearing is to receive input from the community regarding boundaries and composition of districts to be established for district based elections pursuant to Elections Code Section 10010.

As background, there are two distinct processes that will be occurring simultaneously: first, a Ballot Measure for a Charter Amendment to move to district elections, to be voted on in the June 2018 Special Election, and secondly, the public hearings leading to the development of a district boundary map and related ordinance to be presented to the Council in May 2018.

### **Demographic Information**

Dr. Jeanne Gobalet of Lapkoff and Gobalet Demographic Research will present demographic information and procedures that are used to draw election district boundaries. This presentation will include demographic characteristics of the City of Santa Clara relevant to drawing election district lines.

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### **Ballot Measure: Council District Elections**

At the January 30, 2018 meeting, Council adopted Resolutions related to calling a Special Election to place a ballot measure on the June 5, 2018 Gubernatorial Primary Election. In December 2017, Council approved the Charter Review Committee's recommendation on the proposed Charter amendment language to:

- Elect City Council Members by two districts with three members representing each district (e.g. District 1 and District 2).
- Elect the three members at the same time alternating district elections between gubernatorial and presidential election years.
- Transition to include:
  - In 2018, elect two members to four-year terms in District 1
  - In 2020, elect one member to a two-year term in District 1 and three members to four-year terms in District 2.

- Utilize Single Transferrable Vote form of Ranked Choice Voting for election of Council Members when Santa Clara County Registrar of Voters can support it in 2020.
- Change the voting method for Mayor, City Clerk, and Chief of Police to match the voting method of Council Members beginning in 2020 with the election of City Clerk and Chief of Police, and then with subsequent elections thereafter.

For background, please review the attached January 30, 2018 Council agenda report and for information related to the work by the Charter Review Committee, please visit the City's website at [www.santaclaraca.gov/charterreview](http://www.santaclaraca.gov/charterreview)

### **City Ordinance: Council Districts & District Boundaries**

Also at the meeting of January 30, 2018, the City Council authorized the City Manager to establish an Ad Hoc Advisory Districting Committee. Membership to this committee has been drawn from the Planning Commission, the Library Board of Trustees Commission (both charter-established commissions), as well as the Senior Advisory Committee.

### **Statutory Requirements**

In accordance with California Elections Code Section 10010, the following must be done before the City Council can take action on an Ordinance establishing district boundaries for a by-district electoral system:

- 1) Prior to drawing a draft map of the proposed boundaries of the districts, the City shall hold at least two (2) public hearings within a thirty-day period to elicit public input on the composition of the districts.
- 2) After public input is received, a draft map will be drawn, which will be published and made available to the public. The City is required to hold at least two (2) additional public hearings over a period of no more than forty-five (45) days to elicit public input on the draft map and potential sequence of elections. The first version of the map shall be published at least seven (7) days before consideration at a hearing. If a draft map is revised at or following a hearing, it shall be published and made available to the public for at least seven (7) days before being adopted.

In addition, certain legally required criteria apply to the creation of districts and must be observed, including:

- 1) Each City Council district shall contain a nearly equal population;
- 2) A districting plan shall be drawn in a manner that complies with the Federal Voting Rights Act and the Equal Protection Clause of the U.S. Constitution; and
- 3) Council may consider the following factors: topography and geography (major roads, freeways, creeks, railroad lines, or other barriers); cohesiveness, contiguity, integrity, and compactness of territory; and community of interest of the districts (school district boundaries, voting precincts, neighborhood boundaries, retail/commercial districts).



### **Role of the Committee**

The role of the Committee is to:

- Hold the required four public hearings
- Listen to and consider all the input received from the public
- Review the recommendations from the demographer and
- Based on all these factors, provide a recommendation on a draft map indicating two districts.

This advisory committee will also consider input and criteria on the sequencing of the elections, which involves determining which of the two districts will be designated as District 1 which will determine the sequencing of the election: in 2018, elect two members to four-year terms in District 1 and in 2020, elect one member to a two-year term in District 1 and three members to four-year terms in District 2.

Following Public Hearings 1 and 2, a line creating two districts will be proposed. At Public Hearings 3 and 4, the public will be asked to present comment on the location of the line as well as comment on the sequencing of the elections based on that line. After hearing the public input, the committee will make recommendations to the Council regarding the districting ordinance that will include a map showing the recommended districts and the designation of which district will be District 1 and which will be District 2. Council will then consider the committee's recommendation and adopt an ordinance that will become effective if the ballot measure passes

Before participation on the Committee, each member was asked to sign a waiver with the following criteria:

- 1) Committee members may not work for, volunteer for, or make a campaign contribution to a candidate for City of Santa Clara elective office while serving on the Committee.
- 2) Committee members may not run for a City of Santa Clara elective office for 5 years commencing on the date of his/her appointment to the Committee.
- 3) Committee members may not currently be a registered lobbyist nor register for 10 years commencing on the date of his/her appointment to the Committee.
- 4) Committee members may not be a family member, staff member or paid campaign staff member of an elected Santa Clara city official.

### **Public Hearings and Timeline**

The purpose of the public hearings is to inform the public about the districting process. Future staff reports will detail the legal requirements for drawing district boundary lines.

Attached is a Public Hearing schedule which meets the legal requirements to hold four hearings on the composition of Districts. Two hearings must be held before the draft district boundary lines are drawn and two after they are shown on maps. These meetings are dispersed geographically for the convenience of people living in different parts of the City as shown on the schedule. The Committee will develop its recommendations at the fourth public hearing on April 12. It is expected that the Council will consider an ordinance that includes the recommendations of the Committee on a draft map indicating two districts at the May 8 Council meeting.

After the Committee makes its recommendation, the Council will consider the ordinance of the 2 district map on May 8, 2018.

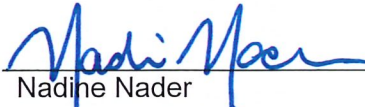
#### **Additional Public Outreach**

Several efforts are underway to inform the public. A separate webpage to the City's website at <http://www.santaclaraca.gov/districtelections> has been created to provide information related to district-based elections, including opportunities for when and how the public can contribute to providing their input. In addition, the City will share information and take input on the proposed maps and election sequencing from the community via Open City Hall. Utility bill inserts will be included in billing cycles beginning the first week of February and will include all the public meeting/hearings, where more information can be found via the City's website and encourage residents to register to vote prior to the June election. In addition, a direct mail piece will be mailed to all residents with helpful information and encouraging participation. Information will also be included on the City's government access channel and flyers will also be distributed to City facilities, including the libraries, Senior Center, and Community Recreation Center..



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*Documents Related to this Report: None*